

Writ petition No. 460 (M/B) of 2002

M/s H.C.L. Ltd.		Petitioner.
	Vs.	
Deputy Commissioner, Customs and Central Excise Division, Dehradun and another		Respondents.

Hon. P.C. Verma, A.C.J.
Hon. Irshad Hussain, J.

Heard learned Shri V. Lakshmi Kumaran, counsel for the petitioner and Sri G.S. Bist, Senior Standing Counsel, Government of India.

The petitioner has filed this petition for commanding the respondent no.1 to dispose of 14 refund claims relating to the period 1.5.1983 to 31.3.1991 filed between the period 5.6.1987 to 28.4.1991 detailed in Annexure 3 to the writ petition.

Sri G.S. Bist, Senior Standing Counsel, Government of India, made a statement at Bar that some of the applications mentioned in the prayer have already been disposed of by the respondent no. 1 by speaking order dated 2.1.2002 and some are pending. So far as the pending applications are concerned, directions may be given to the respondent no. 1 to decide the same within a period of one month.

The prayer of the learned counsel for the respondent finds force. Therefore, respondent no. 1 is directed to decide the pending applications of the petitioner referred in the prayer within a period of one month from the date of production of the certified copy of this order.

Learned counsel for the petitioner has submitted that against the order dated 2.1.2003, he has a right to appeal. Since the order by which some of the applications have been disposed of have been brought to the notice of the petitioner on 4.3.2003 when affidavit was filed, therefore, limitation shall be counted from 4.3.2003.

With the above observations, the petition is disposed of.

(P.C. Verma, A.C.J.)	(Irshad Hussain, J.)
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